

REMARKS

The Final Office Action, mailed February 23, 2007, considered claims 1–67. Claims 36–67 were withdrawn from consideration pursuant to 37 CFR 1.143(b) as being drawn to a nonelected group. Claims 1–26 and 30–35 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Lewallen, U.S. Patent No. 6,675,230 (filed Aug. 22, 2000) (hereinafter Lewallen), Eleftheriadis, U.S. Patent No. 6,092,107 (filed Apr. 7, 1998), and Steele, U.S. Patent Pub. No. 2004/0110490 (claiming priority to U.S. Patent App. No. 60/341,223, filed Dec. 20, 2001), in view of the SVG specification.¹ Claims 28–29 were rejected under 35 U.S.C. § 103(a) as unpatentable over Lewallen, Eleftheriadis, and Steele, in further view of Kim et al., U.S. Patent Pub. No. 2003/0120823 (filed Apr. 29, 2002).²

By this response, claim 1 is amended and claim 68 is added such that claims 1–35 and 68 remain pending. Claims 1 and 68 are independent claims which remain at issue. Support for the amendments may be found, *inter alia*, within Specification ¶¶ 13, 77–78, 111, and 164.³

As reflected in the claims, the present invention is directed generally toward a media integration layer including an application programming interface (API) and an object model allows program code developers to interface in a consistent manner with a scene graph data structure in order to output graphics. Claim 1 recites, for instance, in combination with all the elements of the claim, a method for arranging vector graphics for processing into output. The method includes receiving a function call through an application programming interface (API) of a media integration layer. The media integration layer is among a number of layers in a computer graphics environment and comprises a plurality of objects which include a VisualManager object which manages rendering a Visual Tree to a medium. The function call which is received comprises graphics-related data. The method further includes a parser/translator which interprets the function call received through the API and causes a scene graph data structure to be modified. The parser/translator is able to interpret each of markup

¹ n.b., It is not clear which "SVG specification" is referenced in the Office Communication; *see* Office Communication p. 4 (Feb. 23, 2007). One version is W3C, *Scalable Vector Graphics (SVG) 1.1 Specification* (Jan. 14, 2003) available at <http://www.w3.org/TR/SVG/>.

² Although the prior art status of the cited art is not being challenged at this time, Applicants reserve the right to challenge the prior art status of the cited art at any appropriate time, should it arise. Accordingly, any arguments and amendments made herein should not be construed as acquiescing to any prior art status of the cited art.

³ However, it should be noted that the present invention and claims as recited take support from the entire Specification. As such, no particular part of the Specification should be considered separately from the entirety of the Specification.

language data in native format, direct code calls, object model code calls, and XML-based markup. Finally, a change in a graphics display is caused in response to the modification of the scene graph. The newly added claim 68 is a computer program product embodiment of the method of claim 1.

Independent claim 1 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Lewallen, Eleftheriadis, and Steele, in view of the SVG specification.⁴ To establish a *prima facie* case of obviousness, it must be shown, *inter alia*, that the prior art reference (or references when combined) must teach or suggest all the claim limitations.⁵ The Applicants submit that the cited prior art fails to teach or suggest each and every limitation of the present invention as now recited in the independent claims – claim 1 and the newly added claim 68. In particular, the cited references, both separately and in combination, fail to teach or suggest a media integration layer which is among a plurality of layers in a graphics processing environment and which comprises a plurality of types of objects, the objects including a VisualManager object which manages rendering a Visual Tree to a medium. Further, the cited references, both separately and in combination, fail to teach or suggest a parser/translator which is enabled to interpret markup language data in native format, direct code calls, object model code calls, and XML-based markup. Because of these distinctions, among others, the Applicants submit that a rejection under 35 U.S.C. § 103(a) of the independent claims, as now recited, is not supported by the cited prior art references.

In view of the above, the Applicants respectfully request the Examiner to withdraw the rejection under 35 U.S.C. § 103(a) of claim 1. The Applicants further submit that claims 1 and 68 are now in condition for allowance and, accordingly, request the Examiner to issue their allowance.

In view of the foregoing discussion of the independent claims, Applicants respectfully submit that the rejections to the dependent claims are now moot and do not, therefore, need to be addressed individually at this time. It will be appreciated, however, that this should not be construed as Applicants acquiescing to any of the purported teachings or assertions made in the last action regarding the cited art or the pending application, including any official notice. Instead, Applicants reserve the right to challenge any of the purported teachings or assertions

⁴ Office Comm. p. 4.

⁵ MPEP § 2143; *see also In re Royka*, 490 F.2d 981 (CCPA 1974).

made in the last action at any appropriate time in the future, should the need arise. Furthermore, to the extent that the Examiner has relied on any Official Notice, explicitly or implicitly, Applicants specifically request that the Examiner provide references supporting the teachings officially noticed, as well as the required motivation or suggestion to combine the relied upon notice with the other art of record.

In the event that the Examiner finds remaining impediment to a prompt allowance of this application that may be clarified through a telephone interview, the Examiner is requested to contact the undersigned attorney at 801-533-9800.

Dated this 23rd day of April, 2007.

Respectfully submitted,



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